

REMARKS

This is a complete response to the outstanding Office Action mailed August 17, 2007. Claims 1-8 remain pending in the present application.

I. Response to Claim Rejections Based on Anticipation

In the Office Action, claims 1-8 have been preliminarily rejected as anticipated under 35 U.S.C. § 102. Specifically claims 1- 8 have been preliminarily rejected under 35 D.S.C. § 102(b) by DE 4339508 (hereinafter, "DE '508"). Applicant references the Examiner to the U.S. counter-part, U.S. 5,673,345, of DE '508. The Office Action references "bevel 15" as disclosing the circulatory embossings. However, '508 does not disclose any additional embossings that that would limit the impression depth when pressed during the welding process.

The Office has asserted that the spear gear (element 13 of '508) limits the impression depth. Applicant submits that a spur gear as disclosed in reference '508 is on the contrary supposed to interact with a corresponding internal ring gear 20 of a third component part 20. Thus, the spur gear 13 does not delimit the impression depth of the circulatory embossing 15

into the recess 12 as<sup>u</sup>finite amount of space would be required to allow for rotation of spur gear 13 and ring gear 20. The impression depth of the embossing 15 is solely limited by the conical shape of the embossing 15 as can e.g. be seen from the close ups in figure 4 and 5.

During the Examiner Interview on 10/31/07, Examiner Kerns explained that the Office's rejection is based on a board interpretation of "limit" to mean that theoretically the design allows space for the spear gear (element 13) and the rotation of the spear gear; thus the design limits the impression depth of the circulatory embossing 15. Applicant adamantly disagrees with this interpretation and rejection.

Reference '508 does not disclose, teach, or suggest a change in impression depth based on space provided for the spear gear (element 13). Even if a wider spear gear or more space was designed for the spear gear, the '508 reference does not teach or suggest altering the impression depth of the circulatory embossing 15 to allow for additional space of the spear gear. Additionally, the '508 reference clearly does not disclose altering the impression depth of the circulatory embossing 15 to allow for additional space of the spear gear as required by the

rejection. The Office has not provided any support for the assertion that the design of the intended width of the spear gear limits impression depth. The '508 reference specifically displays, the impression depth of the embossing 15 is solely limited by the conical shape of the embossing 15 as can e.g. be seen from the close ups in figure 4 and 5.

One skilled in the art would have modified the arc-shaped bent portion 11 to increase or decrease the design space of the spear gear space. One skilled in the art would not have considered modifying the impression depth of the circulatory embossing 15. The '508 reference does not disclose this therefore; the 102 rejection must be withdrawn. In addition, no support is provided or suggests one skilled in the art would have considered modifying the impression depth of the circulatory embossing 15 to alter the designed space for the spear gear. Therefore, for at least these reasons claims 1 and 8 overcomes the above 102 rejection.

In addition, the rejection and interpretation ignores the rest of the claim language and removes any context of the term "limit" in view of the rest of the claim language. Applicant's claim 1 recites, "one circulatory embossing...that can be pressed

into the complimentary recess during a resistance welding process." Claim 1 than recites a clause referencing and specifically characterizing the above previous clause wherein, "additional embossings abutting the connection surface that limit the impression depth of the circulatory embossing of the one component into the recess of the other component". The claim language clearly states the additional embossings physically limiting the impression depth of the circulatory embossing during the pressing of the welding process. The claim language does not support the Office's broad definition of a theoretical limit of the design.

The Applicant also respectfully submits that since claims 2-7 depend on independent claim 1, claims 2-7 contain all limitations of independent claim 1. Since independent claim 1 should be allowed, as argued herein, pending dependent claims 2-7 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q.2d 1596, 1608 (Fed. Cir. 1988).

III. Prior Art Made of Record

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

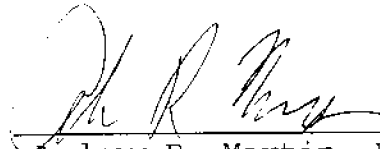
In light of the foregoing amendments and comments and for at least the reasons set forth above, Applicant respectfully submits that all objections and rejections have been traversed, rendered moot and/or accommodated, and that presently pending claims 1- 8 are in condition for allowance. Applicant has responded to all of the Examiner's requests. Favorable reconsideration and allowance of the present application and the presently pending claims are hereby courteously requested. The examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

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Respectfully submitted,

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